

PLANNING COMMISSION MINUTES
July 9, 2009
7 p.m. Regular Meeting
Newberg Public Safety Building
401 E. Third Street

TO BE APPROVED AT THE AUGUST 13, 2009 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present:	Thomas Barnes	Derek Duff	Matson Haug
	Lon Wall, Chair	Cathy Stuhr	Philip Smith
	Nick Tri, Vice Chair	Amanda Golson, student PC	

Staff Present: Barton Brierley, Planning & Building Director
David Beam, Economic Development Planner
Steve Olson, Associate Planner
Dawn Karen Bevill, Recording Secretary

II. OPENING MEETING:

Chair Wall opened the meeting at 7:00 p.m. and asked for roll call.

III. CONSENT CALENDAR:

Chair Wall entertained a motion to accept the minutes of the June 11, 2009 meeting. Commissioner Haug motioned to accept the minutes and Commissioner Barnes seconded the motion. Chair Wall asked for any corrections or changes. Commissioner Stuhr noted corrections were needed as to the Commissioners who were listed as absent on many of the motions.

Motion #1 Haug/Barnes to approve the minutes from the Planning Commission meeting of June 11, 2009 as corrected (7 Yes/ 0 No/ 0 Absent), unanimous voice vote.

IV. COMMUNICATIONS FROM THE FLOOR:

Chair Wall offered an opportunity for non-agenda items to be brought forth.

Mr. Larry Anderson stated that he was surprised to find nothing included in the proposed revisions of the development standards regarding public street standards. He believes changes are needed. Mr. Anderson hopes that this topic will be discussed in the future and he offered his help in any way he can. Newberg's rigid public street standards have as much to do with the poor planning and livability of neighborhoods as anything. It leads to more expensive housing. Creativity is needed in gaining access to develop many potential infill home sites in the community.

Commissioner Smith said the taskforce for affordable housing does recommend taking a look at street standards and making changes in the future. He asked Mr. Anderson to come back and give testimony when that issue is reviewed by the Commission. His input would be very helpful.

Commissioner Haug agrees there will be recommendations in the future and asked Mr. Anderson for a few examples of what he'd like to see changed. Mr. Anderson replied Jaquith Park Estates has private streets that work well, but would not be allowed today. The streets and right-of-way are narrower. The nicer neighborhoods have front yards but wide expansive streets take away from that. Each development parcel is unique and should be planned individually, allowing for creative design.

Chair Wall said this exact type of change regarding street standards was requested several years ago and he asked what has changed since then. Mr. Anderson said the price of land and the number of homes on a property have gone up. Lots are smaller and builders are placing large houses on those parcels to maximize profit.

Commissioner Haug stated private street standards for public streets would solve many problems.

Barton Brierley pointed out that the Affordable Housing Committee completed Phase I, which was to create an action plan; Phase II will look at potential changes to various development standards, including street standards.

V. LEGISLATIVE PUBLIC HEARING:

APPLICANT:	City of Newberg
REQUEST:	Consider adding and modifying specific standards in the Newberg Development Code to encourage affordable housing.
FILE NO.:	G-09-007
RESOLUTION:	2009-266

Chair Wall opened the hearing and asked for any abstentions, conflicts of interest, and objections to jurisdiction from the Planning Commission. None were brought forward.

David Beam gave the staff report (see meeting packet for details.) Mr. Beam announced there were members from the Affordable Housing Ad Hoc Committee in the audience, including Mike Willcuts, Charles Harris, and Dennis Russell, people who are directly involved with affordable housing development. They would be willing to answer questions posed by the Planning Commission.

Changes to Action 4.2A, Action 4.2K and Action 4.2M of the Newberg's Affordable Housing Action Plan (AHAP) were reviewed by Mr. Beam and the Planning Commission (Exhibit A to Resolution 2009-266 of the meeting packet (pages 14 – 20).

Commissioner Stuhr asked about the lot area per dwelling unit – 151.565 and asked if it encourages developers to reserve more areas for parks. David explained it should create more housing. Barton Brierley says it does encourage parks and open spaces because it helps with the density requirements.

Barton Brierley stated the Affordable Housing Committee wanted some changes regarding building heights; (pp 16 – 20). They recommended a change be made to allow for a second story on a garage for an accessory dwelling unit. Also, the committee wanted to provide an option for a residential development to go higher than allowed, based on the distance of the building from the property line and solar access.

Mr. Brierley discussed the example showing how the proposed optional standard building height limit (P18 of the packet) would work.

Chair Wall stated the shading calculations would be based on the angle of the sun in February.

Commissioner Smith likes the general idea of the proposal, but was unclear how standards E1 and E2 worked (P-17 of the meeting packet). Barton Brierley tried to clarify, using the graphic on page 18 of the meeting packet.

David Beam pointed out that graphic on page 19 did not print for some reason (under the “XXIII Building Height” title). Each Commissioner was given a handout that showed the missing graphic.

Thomas Barnes asked about the recent cell tower code amendments made by the Commission; did they allow for towers to be 18 feet above the main building? Barton Brierley replied yes.

Public Comments:

Mike Willcuts stated the information presented in the meeting packet is what was discussed at the Affordable Housing Committee meetings and he is in support of this plan. Mr. Willcuts also agreed with the comments stated by Mr. Anderson regarding the need to modify street standards.

Charles Harris also supports this resolution. He'd like to see a change on page 14 of the meeting packet, Exhibit A; 151.565 Section (A) - (1) changed from an average lot size in a subdivision for single family development not to exceed 10,000 square feet to 7,500 square feet in an R-1 District. This change is needed to promote higher density.

Chair Wall asked Mr. Harris if what is done with affordable housing should affect all scales of housing or just lower income housing. Mr. Harris replied we need to keep in mind the needs of all ranges of housing.

Dennis Russell commented he has been on a number of task forces and work groups during the length of his career. He complimented committee Chairman Philip Smith on the wonderful job he and City Staff did serving on the Affordable Housing Committee. Initiatives were put forward in “bites”. A number of recommendations can be acted on now, even though there is

more refinement work to be done on other actions. Mr. Russell stated that providing affordable housing options for senior citizens is a challenge. Finding ways to incentivize developers to preserve and build affordable housing for seniors is difficult. Bringing more senior citizens into the community would be an asset to Newberg. Finding housing in Newberg with reasonable transportation options is needed for those of low income. One caveat, Charles Harris' recommendation for 7,500 square foot is Mr. Harris' recommendation; the Ad Hoc Committee voted and agreed upon 10,000 square feet figure. Mr. Russell said there are definite downward pressures on the price of a home today. Mike Willcuts and Mike Gougler, local developers and member of the Ad Hoc Committee, initiated discussion citing examples of what the market wants and what will most likely happen in the future. Market forces and development in the City was discussed and the 10,000 square feet figure was agreed upon.

Chair Wall closed the public testimony.

Closing Comments from Staff:

Barton Brierley stated that citizen participation is encouraged in Newberg and he thanked those who have been involved in those various committees that have tried to deal with the affordable housing issue. In the Committee on Newberg's Future, which Commissioner Stuhr served on, density was discussed and they recommended an increase that would move towards the established target densities.

The Affordable Housing Ad Hoc Committee looked at the density issue thoroughly. Mr. Brierley believes one of the toughest issues was regarding square footage of lot sizes -- what the maximum should be and whether the provision of affordable housing should be forced or chosen by the developer/builder.

Commissioner Haug asked about what was the profile of lot sizes for homes in Newberg. Barton Brierley replied that in the old core of Newberg, which are where there are the numbered streets, are around 5,000 square feet. The lots developed in the 1970s- 1980s are 7,500 – 9,000 square foot range. The lots developed in the 1990s in northwest Newberg area averaged at about 6,000 square feet.

Motion #2: Tri/Stuhr moved to accept the Planning Commission Resolution 2009-266.
--

Discussion:

Commissioner Haug stated his concern that lowering the square footage would put more pressure to create an R-0 District, which has been propose in the past.

Commissioner Smith inquired about the R-0 District. Commissioner Haug explained he remembered that there would be no limit on how big a lot could be in an R-0 District. Barton Brierley stated the proposal was years ago (1997?) and he remembered the proposal to be a lot size minimum 10,000 SF size with no maximum.

Chair Wall is in favor of the Resolution 2009-266. He would like to see making housing less expensive for people but not across the board, just on the lower income scale. This is a good move forward.

Commissioner Haug asked at what point Resolution 2009 – 266 would be forwarded to the City Council. Barton Brierley estimated five more meetings before going to the City Council.

Vote on Motion #2: Smith/Duff to approve Resolution 2009-266. (7 Yes/ 0 No/0 Absent) Motion carried.
--

VI. WORKSHOP: RESIDENTIAL DESIGN STANDARDS

Barton Brierley discussed the Affordable Housing Committee's recommendation that standards would apply across the board. The motion last month at the Planning Commission meeting asked staff to come back with examples and the intention at this meeting is to explain how the point system works. This is the same presentation Mr. Brierley gave to the Affordable Housing Committee. Mr. Brierley walked through the examples regarding subdivision design elements, site design elements, and building design elements using existing developments.

Creekside Development:

Commissioner Haug asked if there are points for walking paths or amenities. Barton Brierley stated some points are given for open spaces on this project. Commissioner Haug asked if there is any additional parking in the Creekside Development. Barton Brierley answered that there was some on-street parking. Commissioner Haug asked what the dimensions are of the backyards. Mr. Brierley replied most are an average of 20 feet deep and 30 feet wide; an average 600 sq. ft. back yard. Commissioner Haug asked about points for diversity of look and feel and Mr. Brierley replied none, since they are repetitive in this development.

Commissioner Haug stated this neighborhood is not attractive to him.

Chair Wall agreed, but stated it is attractive to other people. Commissioner Haug stated to some extent, different building styles makes the neighborhood more valuable and livable and many of the points aren't increasing the aesthetics of the neighborhood. Cathy Stuhr stated this area was constrained by the creek.

Commissioner Smith commented architectural features listed on the back page of the meeting handout are good; all are useful and you can't be too restrictive, but rather the scoring has to include more topics or a maximum on one particular item. Commissioner Haug believes the points should be spread out into more categories.

Commissioner Duff suggested meeting a minimum certification such as on site design.

Clifford Court:

Commissioner Haug asked about the street width and could it have been built with smaller widths. Mr. Brierley replied it is a 32-foot-wide street; much larger than needed for cars, but the extra width was needed to meet emergency vehicle standards.

Mr. Brierley added the Ad Hoc Committee thought this was a nice subdivision and that it would receive a quite a few points.

Cathy Stuhr said it lacks any points in category “A,” and she likes the Creekside Subdivision better.

Chair Wall understands, but the purpose of the point system and what those points are worth to the developer is the concern at this time. He wants to hear the specifics from staff.

Commissioner Tri stated he sees only garage doors and pitched roofs when viewing this neighborhood, with no variety.

Mary Lou Lane:

Commissioner Haug stated the streets are too wide in this development, although the garages and porches are better placed.

Chair Wall stated personally he likes the Clifford Court development better.

Steve Olson stated this cul-de-sac is quite different from Clifford Court, which is a shorter cul-de-sac demanding the garage placement in front because of the pie-shaped lots with narrow frontages.

Commissioner Smith said due to the nature of the pie-shaped lots in Clifford Court, points were earned for the back yards which weren’t visible on the overhead.

Barton Brierley stated many points would be earned from the architectural design and one story homes in this development.

Arlington:

Commissioner Haug stated this is an example of what Larry Anderson referred to during his comments early on at this meeting. He pointed out the overall feel and quality is nice due to the trees in the neighborhood.

Deborah/Douglas:

Barton Brierley stated this development didn’t meet the standards at all; it only earned points for density and some homes are close to the street.

Commissioner Haug asked about the setback in this development. Barton Brierley said 5 -6 feet between the homes.

Commissioner Smith agrees with Chair Wall's statement that it's difficult to take aesthetic judgments and build them into a city code, but in spite of that, this point system can be helpful and useful. There will be no perfect system. It may need to be "tweaked" into more categories. There's a lot of flexibility for builders. Doing more than what this offers would be difficult.

Chair Wall asked City Staff what the developers get for their points. Barton Brierley said that they earned approval to build the project. In another sense, had the Deborah Project been built like the Arlington Project, it would be much more valuable since the densities are comparable. Chair Wall asked what they will get besides that. Mr. Brierley replied, per the code, it doesn't matter if it's one point over or many points over the threshold. He believes they get a more sellable product that will appreciate in value over time. Chair Wall asked if it would naturally be in the developer's interest to build something attractive to the buyer and is going to get as much money as possible; so why is a system needed to encourage them to do that, if there isn't any other trade off anywhere else. Shouldn't the points be based on better material benefit to the community than just personal aesthetics? Barton Brierley explained when the Planning Commission last saw these six to nine months ago there was something like that built in. There was a 3-prong system giving flexibility and different standards and in exchange for that flexibility, more design points needed to be met. In other words, if a lot of aesthetics were added to a project there would be more substantive flexibility; more density and the ability to have narrower lots. The Affordable Housing Committee recommended against that system and simply took the design standards out and moved them aside. Chair Wall stated if that's the case, this is much ado about nothing.

Commissioner Haug stated in order to have requirements for density, let's safeguard the community with an attractive place to live with inter connectivity between neighborhoods and contour with walkways, etc. which adds quality and comfort of livability to the community. Unfortunately, he's disappointed in the slide show due to lack of diversity in the presentation. He wants to be able to look at all the features at one time. In order to have more density, it's appropriate to make the best attempt possible to protect the livability, and he believes this can be made to work with enough flexibility. It will need to be a living document that changes over time.

Commissioner Smith reiterated that to have greater density, which should translate to greater affordability, there needs to be design elements to prevent "ugly" housing. One would hope the design scale would be so great and work so well a builder could not only make the scale but double the scale and use it to promote their houses. That's why the Affordable Housing Committee moved in this direction. He believes it's a livability approach with flexibility to the developer.

Commissioner Stuhr agrees with Commissioner Smith and stated these are the things valued in the community.

Steve Olson stated that he has some experience as a planner working with Newberg's point systems for multifamily homes and signs. Developers typically don't design around the standards but come in with a good idea of what they want to do and then see how the point system fits the

project. If they need to earn more points then they usually try to find the least costly way to do so. Developers only want to build projects that they think are marketable, so that is their starting point when they approach the city.

Barton Brierley asked for Amanda Golson's opinion, as well as any from the audience. Amanda Golson stated the developers want to make money and may do the bare minimum to make a profit. A "carrot" is needed in this process. The grouping system may work in the listed categories. Variety is needed in Newberg.

Commissioner Duff asked in terms of recent developments, are there any close to what is actually needed. Barton Brierley replied his feeling is that virtually every development over the last 5 years would have met these standards.

Councilor Denise Bacon, who was in attendance in the audience, stated that when the point system was originally developed and brought to the Planning Commission there were many who were upset about the notion; but as the Affordable Housing Committee continued discussions this concept became more acceptable.

Lori Stutsman, audience member, asked what the cumulative effect will be and how to co-exist with more historic structures. Are we setting ourselves up to change every 30 years?

Commissioner Haug stated he has been on the Planning Commission for over 12 years and the Development Code and Comprehensive Plan are living documents, constantly evolving.

Commissioner Smith stated her question is a good one; the history of the City affects us whether we like it or not. At the same time, as time goes on, we have to be flexible. One of the criteria is design points for architectural element requirements. There will be change; yet parts of the City's past will continue to shape what is built.

Chair Wall stated he's been on the Planning Commission for nine years and there is a great deal in urban planning that is very arrogant and assumes we know how people should live, commute, what they should do - such as "Smart Planning", which can prejudice their point of view. The planning community nationally is bad about this; this is not a criticism of Newberg's City Staff. An awful lot of urban planning is based on opinion. He agrees with Commissioner Haug concerning gaining more information on this process.

Lori Stutsman commented the points seem reasonable.

Chair Wall asked the Commissioners what they'd like to do at this point.

Commissioner Haug asked staff if they have the time and resources it would take to put together a handful of slides that show the variety of examples in the different categories. He feels the Commissioners do not have the aesthetic training on these features and values.

Commissioner Barnes suggested some Commissioners could take pictures on their own time and he volunteered as one of them. The Commissioners agreed and Mr. Barnes will take the time to do this.

Chair Wall asked if staff could help in this process. Barton Brierley stated staff could take tonight's discussion and work on a revision with more slides. They can incorporate that with the work Commissioner Barnes will do.

Commissioner Haug stated there may be some benefit to the community if the standards are more flexible.

VII. ITEMS FROM STAFF:

Update on Council Items:

Barton Brierley stated the City Council discussed the McClure property annexation at their last meeting, which has been appealed to the Land Use Board of Appeals. The question was whether to go forward with the election while the appeal is pending. The Council decided to set it aside for now and see if the appeal picture becomes clearer.

At the next meeting on July 20, 2009 they'll consider creating the structure for Phase II of the Affordable Housing Committee with an umbrella committee which will meet quarterly and a number of sub-committees that will meet more frequently.

The property at the corner of Mountainview and Alice Way has requested a one year extension to correct their non-conforming use. Some work has been done already. The City Council will be considering that extension on July 20, 2009.

Other Reports, Letters, or Correspondence:

Staff has made contact with Kentucky Fried Chicken regarding cleaning up their landscaping, and Steve Olson has received a call from the landscaper who will be working on it. We expect that the site will soon be improved by the owner/operator.

Next Planning Commission Meeting will be held on August 13, 2009.

VIII. ITEMS FROM COMMISSIONERS: None heard at this time.

IX. ADJOURN:

Chair Wall adjourned the meeting at 9:55 p.m.

Approved by the Planning Commission this 13th day of August, 2009.

AYES:

7

NO:

2

ABSENT:

2


ABSTAIN:

2

(List Name(s))

(List Names(s))


Dawn Karen Baurle
Planning Recording Secretary



Planning Commission Chair Date